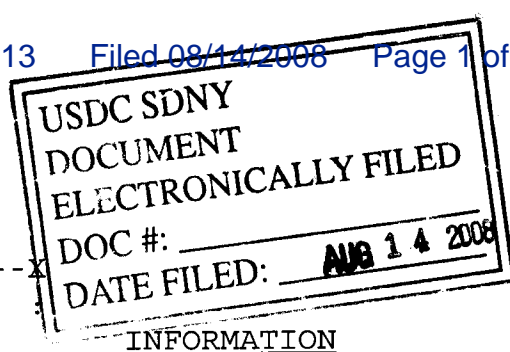


**JUDGE CROTTI**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

08 Cr.

KEIRON MONTGOMERY,  
a/k/a "Diamond,"

**08 CRIM 797**

Defendant.

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COUNT ONE

The United States Attorney charges:

1. From in or about March 2008, up to and including in or about April 2008, in the Southern District of New York and elsewhere, KEIRON D. MONTGOMERY, a/k/a "Diamond," the defendant, not being a licensed importer, licensed manufacturer, or licensed dealer, unlawfully, willfully, and knowingly did engage in the business of importing, manufacturing, and dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate commerce, to wit, MONTGOMERY sold approximately three firearms to an undercover officer.

(Title 18, United States Code, Section 922(a)(1)(A).)

COUNT TWO

The United States Attorney further charges:

2. From in or about March 2008, up to and including in or about April 2008, in the Southern District of New York and

elsewhere, KEIRON D. MONTGOMERY, a/k/a "Diamond," the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, to wit, (1) a conviction on or about October 15, 1997 for Attempted Criminal Sale of a Controlled Substance in the Third Degree, in violation of New York Penal Law Section 220.39, in Orange County Court, New York; and (2) a conviction on or about December 6, 1996, for Attempted Criminal Sale of a Controlled Substance in the Third Degree, in violation of New York Penal Law 220.39, in Westchester County Court, unlawfully, wilfully, and knowingly, did possess in and affecting commerce, a firearm, to wit, a 9 millimeter Masterpiece Arms pistol, a .44 caliber Smith & Wesson revolver, and a .38 caliber Smith & Wesson firearm, all of which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT THREE

The United States Attorney further charges:

3. On or about March 18, 2008, in the Southern District of New York, KEIRON D. MONTGOMERY, a/k/a "Diamond," the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, five grams and more of mixtures and substances

containing a detectable amount of cocaine base, in a form commonly known as "crack."

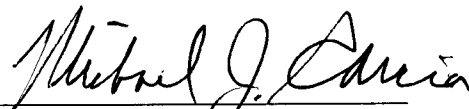
(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(B) & Title 18, United States Code, Section 2.)

COUNT FOUR

The United States Attorney further charges:

4. On or about April 1, 2008, in the Southern District of New York, KEIRON D. MONTGOMERY, a/k/a "Diamond," the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, five grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(B) & Title 18, United States Code, Section 2.)

  
MICHAEL J. GARCIA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

KEIRON MONTGOMERY,

Defendant.

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Information

08 Cr. ( )

MICHAEL J. GARCIA

United States Attorney.

*Planned*

*Filed indictment + waiver of indictment.  
Deft pro v/ally Mace AUSA Moyne  
pro. Deft pleads Not guilty Bail outd.*

*8/14/08  
[Signature]*